

**REISSUE APPLICATION  
SUPPLEMENTAL DECLARATION BY INVENTOR  
(37 C.F.R. Sec. 1.175)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor of the subject matter that is described and claimed in letters patent number 5,954,671, granted on September 21, 1999, and for which invention I solicit a reissue patent on the invention entitled Bone Harvesting Method and Apparatus, the specification of which was filed on August 3, 2001, as reissue application number 09/922,555.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

**PRIORITY CLAIM**

I do not claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent. No such applications have been filed. I claim priority of provisional application No. 60/082,340 filed April 20, 1998.

**STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT**

Applicant believes the original patent to be partly inoperative or invalid by reason of the patentee claiming less than the patentee had the right to claim in the patent. (37 C.F.R. Sec. 1.175(a)(1)).

At least one error which is being relied upon to support the reissue application, as required by 37 C.F.R. 1.175(a)(1) is that all the claims of the original patent require either the use of an "impactor cap" or a "forked cannula." Applicant believes that these requirements in the claims of the original patent causes the original patent to claim less than the patentee had the right to claim and accordingly renders the original patent to be partly inoperative or invalid.

**DECLARATION**

Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE BY THE INVENTOR**

Full name of sole or first inventor: Michael J. O'Neill

Inventor's signature Michael J. O'Neill

Date June 26, 2008

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